

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

CYNTHIA JOHNSON,  
d/b/a The Little Surf Shack,

Plaintiff,

v.

ASHLY E. SANDS, et al.,

Defendants.

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1:18-cv-689 (LMB/TCB)

ORDER

For the reasons stated in open court, it is hereby


ORDERED that the Motion to Dismiss on Behalf of Ashly E. Sands [Dkt. No. 21] be and is DENIED WITHOUT PREJUDICE. Plaintiff is instructed that if she elects to proceed with limited jurisdictional discovery into defendant Sands's contacts with this jurisdiction and a subsequent motion to dismiss for lack of personal jurisdiction is granted, plaintiff will be responsible for reimbursing Sands for any costs or attorney's fees incurred in responding to those discovery requests; and it is further

ORDERED that defendant WowWee USA, Inc.'s Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim [Dkt. No. 11] and the Motion to Dismiss by Defendant Incopro Inc. [Dkt. No. 17] be and are DENIED WITHOUT PREJUDICE.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this <sup>th</sup>18 day of January, 2019.

Alexandria, Virginia

/s/   
Leonie M. Brinkema  
United States District Judge